

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q89074

Tsuyoshi MASUDA, et al.

Appln. No.: 10/542,048

Group Art Unit: 1711

Confirmation No.: 6247

Examiner: Gennadiy MESH

Filed: July 13, 2005

For: MODIFIED CROSS-SECTION POLYESTER FIBERS

RESPONSE TO ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Election of Species Requirement dated October 26, 2007. A Petition for a two month Extension of Time is filed concurrently with the Response to the Election of Species Requirement. The Examiner has identified the application as containing claims directed to more than one distinct species.

The Examiner has required Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted. Applicant has been advised that a response to this requirement shall include an identification of the species that is elected and a listing of all claims readable thereon.

RESPONSE TO ELECTION OF SPECIES
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In response to the Examiner's requirement, Applicant elects Species 1 drawn to fibers, wherein the lateral cross-sectional profile of the single fiber is a flat shape, and wherein the polymer is produced by a process using a catalyst comprising mixture (1). Claims 1, 2, 5-7 and 10 are readable on the election of species (1).

Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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